



General Assembly

Substitute Bill No. 5441

January Session, 2013



**AN ACT AUTHORIZING CERTAIN EMERGENCY RESPONSE
EMPLOYEES TO ENROLL IN THE MUNICIPAL EMPLOYEES'
RETIREMENT SYSTEM AND CREATING A PUBLIC EMPLOYEE
HEALTH PLAN.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (11) of section 7-425 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (11) "Regional emergency telecommunications center" means [an]
5 any entity authorized by the Department of Emergency Services and
6 Public Protection as [the] a public safety answering point responsible
7 for the receipt and processing of 9-1-1 calls for at least three
8 municipalities.

9 Sec. 2. (NEW) (*Effective July 1, 2014*) As used in this section and in
10 sections 3 to 5, inclusive, of this act:

11 (1) "Municipality" means any town, consolidated town and city,
12 consolidated town and borough, regional school district and board of
13 education;

14 (2) "Eligible employee" means any employee of a municipality,
15 including employees of such municipality's board of education,

16 whether or not in the classified service of the municipality, except
17 "eligible employee" shall not include: (A) Elected officials unless the
18 elected official is covered by the municipality's health benefits
19 program on the effective date of this section, or such benefits are
20 provided by local ordinance, (B) board and commission members, and
21 (C) part-time employees who work fewer than twenty hours per week
22 or on a seasonal basis unless an applicable collective bargaining
23 agreement permits eligibility for fewer hours worked;

24 (3) "Employee organization" means any lawful association, labor
25 organization, federation or council having as a primary purpose the
26 improvement of wages, hours and other conditions of employment
27 among town and board of education employees;

28 (4) "Seasonal basis" means working for a period of not more than
29 one hundred twenty calendar days in any calendar year; and

30 (5) "Public Employee Health Plan" or "plan" means the health
31 benefits plan offered to each municipality by the Comptroller pursuant
32 to section 3 of this act.

33 Sec. 3. (NEW) (*Effective July 1, 2014*) (a) The Comptroller, with the
34 approval of the Attorney General and the Insurance Commissioner,
35 shall arrange and procure a group hospitalization and medical and
36 surgical insurance plan or plans for eligible employees. Such plan or
37 plans shall be known as the Public Employee Health Plan. Each
38 eligible employee shall be enrolled in the Public Employee Health Plan
39 by the employing municipality.

40 (b) No eligible employee or group of eligible employees shall be
41 denied membership in the plan by reason of past or future health care
42 costs or claim experience.

43 (c) No municipality shall reduce the hours an employee is permitted
44 to work in a position or change a full-time position to multiple part-
45 time positions in order to prevent an employee from being eligible for
46 coverage under the plan.

47 (d) Notwithstanding any provision of chapter 700c of the general
48 statutes, the coverage provided under the Public Employee Health
49 Plan shall be offered on a risk-pooled basis. The Comptroller may
50 contract with an administrative services organization to provide
51 administrative services for the plan. The Public Employee Health Plan
52 shall not be considered a multiemployer welfare plan.

53 (e) The Comptroller shall adopt regulations, in accordance with the
54 provisions of chapter 54 of the general statutes, to implement the
55 provisions of this section.

56 (f) The amount due to the Comptroller from each municipality shall
57 be: (1) The product of (A) (i) the total cost of coverage under the plan
58 for all covered employees and such employees' dependents in each of
59 the following categories: (I) Individual employee; (II) employee plus
60 one; and (III) family, (ii) divided by the total number of covered
61 employees and such employees' dependents in each category, and (B)
62 the number of covered employees and such employees' dependents for
63 such municipality, and (2) a proportionate share of the cost of the
64 administration of the plan and the establishment of a reserve fund, as
65 determined by the Comptroller, based on the number of covered
66 employees of such municipality and such employees' dependents.

67 (g) Each municipality shall pay the amount determined by the
68 Comptroller pursuant to subsection (f) of this section, in accordance
69 with regulations adopted by the Comptroller in accordance with the
70 provisions of chapter 54 of the general statutes. For the fiscal year
71 commencing on July 1, 2013, each municipality shall provide the
72 Comptroller with census data specifying the number of persons who
73 are covered by the plan, and the category of such person's coverage, as
74 enumerated in subsection (f) of this section, as of June thirtieth of the
75 preceding fiscal year.

76 Sec. 4. (NEW) (*Effective from passage*) (a) There is established a
77 municipal health care cost containment committee. Such committee
78 shall: (1) Make recommendations to the Comptroller on the selection of

79 a health benefits plan or plans; (2) be responsible for requesting
80 competitive proposals for employee health and dental insurance
81 benefits and for cost containment; (3) request bids for self-insurance;
82 and (4) develop health benefits and coverage plans that shall be
83 reasonably equivalent to the benefits and coverage provided to active
84 municipal employees prior to July 1, 2014.

85 (b) The municipal health care cost containment committee shall
86 consist of the following members: (1) Ten municipal representatives;
87 (2) ten employee organization representatives; and (3) one neutral
88 chairperson appointed by the Comptroller. Such chairperson shall be a
89 member of the National Academy of Neutral Arbitrators or an
90 arbitrator authorized to serve as a neutral arbitrator in labor relations
91 cases by the American Arbitration Association or the Federal
92 Mediation and Conciliation Service, and shall not be covered by the
93 insurance pool. The municipal representatives shall be appointed to
94 said cost containment committee from the municipalities and boards of
95 education, by and through their member organizations. The municipal
96 representatives shall have, collectively, one vote. The employee
97 organization representatives shall be appointed to said containment
98 committee from employee organizations that represent municipal and
99 board of education employees. The employee organization
100 representatives shall have, collectively, one vote. The municipal health
101 care cost containment committee shall be staffed and advised by the
102 Comptroller, or by the Comptroller's designee.

103 (c) All appointments to the committee shall be made not later than
104 July 31, 2013. Any vacancy shall be filled by the appointing authority.

105 Sec. 5. (NEW) (*Effective July 1, 2014*) On and after July 1, 2014,
106 matters relating to the provision of risk-pooled health care or health
107 insurance coverage shall not be subject to collective bargaining under
108 section 7-468 of the general statutes, except for bargaining relating to
109 the premium share to be contributed by employees represented by an
110 employee organization. The provisions of this section and sections 3
111 and 4 of this act shall not supersede the provisions of any collective

112 bargaining agreement in effect on July 1, 2014, but, upon the expiration
113 of any such agreement, the provisions of this section and sections 3
114 and 4 shall apply to subsequent collectively bargained agreements
115 between the parties to any such agreement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	7-425(11)
Sec. 2	<i>July 1, 2014</i>	New section
Sec. 3	<i>July 1, 2014</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>July 1, 2014</i>	New section

Statement of Legislative Commissioners:

In section 2(2), "town" was replaced with "municipality" for accuracy and consistency.

LAB *Joint Favorable Subst. -LCO*